

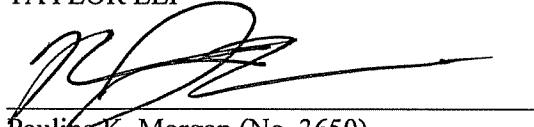
**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

In re:	) Chapter 11
)
FOAMEX INTERNATIONAL, INC.	) Case No. 05-12685 (KG)
)
)
Reorganized Debtor.)
)
)
GUNGOR M. SOLMAZ, et al.,	) Civil Action No. 07-364
)
Appellants)
)
v.)
)
FOAMEX INTERNATIONAL, INC., et al.,	) Bankruptcy Case No. 05-121685
	) AP 07-65
Appellees)

**AGREEMENT AND REQUEST TO DISMISS
APPEAL PURSUANT TO FED.R.BANKR.P. 8001(c)(2)**

Pursuant to Federal Rule of Bankruptcy Procedure 8001(c)(2), the undersigned parties hereby agree to dismiss the above-captioned appeal and respectfully request that the Court enter the proposed order, attached hereto as Exhibit A, dismissing this appeal. The parties further agree that each of the parties shall bear its own costs and attorneys' fees incurred in this appeal.

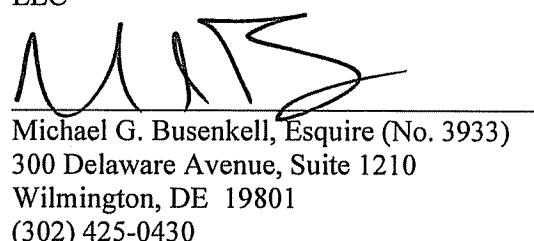
YOUNG CONAWAY STARGATT &
TAYLOR LLP



Pauline K. Morgan (No. 3650)
Joseph M. Barry (No. 4221)
Kenneth J. Enos (No. 4544)
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899-0391
(302) 571-6705

Attorneys for Appellees,
Foamex International, Inc., et al.,

ECKERT SEAMANS CHERIN & MELLOTT,
LLC



Michael G. Busenkell, Esquire (No. 3933)
300 Delaware Avenue, Suite 1210
Wilmington, DE 19801
(302) 425-0430

Attorney for Appellants, Gungor M. Solmaz
and Diana M. Solmaz

EXHIBIT A

{

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

In re:	)	Chapter 11
)	
FOAMEX INTERNATIONAL, INC.	)	Case No. 05-12685 (KG)
)	
)	
Reorganized Debtor.)	
)	
)	
GUNGOR M. SOLMAZ, et al.,	)	Civil Action No. 07-364
)	
Appellants)	
)	
v.)	
)	
FOAMEX INTERNATIONAL, INC., et al.,	)	Bankruptcy Case No. 05-121685
	)	AP 07-65
Appellees)	
)	

ORDER DISMISSING APPEAL

Having considered the Agreement and Request to Dismiss Appeal Pursuant to Fed.R.Bankr. P. 8001(c)(2) filed in the above captioned matter, it is hereby:

ORDERED that this appeal is dismissed.

_____, 2007

United States District Judge